IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. Civil Writ Petition No.4835/07
Jasraj Singh & Ors. Vs. Board of Revenue & Ors.

27.09.2007

***Hon'ble Mr. Justice Mohammad Rafiq***

Shri Devendra Raghav for petitioner.
Shri B.K. Sharma, Dy. GA for State.
Shri Sunil Tyagi for respondent.

This writ petition has been filed against the order of Board of Revenue dated 28.6.07 whereby the Board while admitting the appeal preferred by the petitioner ordered for hearing and declined to pass any interim order. While on the one hand, the petitioner claimed to be in possession of the land, the respondent also assert their possession. In fact the learned counsel for the respondent has argued that reference to

the pleadings in the reply that his client cultivated the land in dispute.

In the circumstances, therefore, it is not assertable as to which of the parties are in possession. While not interfering with the order passed by the Board of Revenue, I set both the parties at liberty to again approach the Board for proving as to whoever may be in possession of the disputed land.

The petition stands disposed of accordingly.

**(Mohammad Rafiq),J.**

**Rs/-**